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ACTION WHA-00

INFO	LOG-00	AID-00	CIAE-00	DODE-00	SRPP-00	EB-00	EUR-00
	VC-00	TEDE-00	INR-00	L-00	VCE-00	AC-00	NSAE-00
	OMB-00	PA-00	PM-00	PRS-00	ACE-00	P-00	SP-00
	SSO-00	SS-00	TRSE-00	T-00	USIE-00	PMB-00	DRL-00
	G-00	SAS-00	/000W				

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RELEASED IN PART
B1, 1.4(D)

O 051800Z MAY 04
 FM AMEMBASSY CARACAS
 TO SECSTATE WASHDC IMMEDIATE 6098
 INFO AMEMBASSY BOGOTA PRIORITY
 AMEMBASSY BRASILIA PRIORITY
 AMEMBASSY LA PAZ PRIORITY
 AMEMBASSY LIMA PRIORITY
 AMEMBASSY QUITO PRIORITY
 AMEMBASSY LISBON PRIORITY
 AMEMBASSY MADRID PRIORITY
 AMEMBASSY SANTIAGO PRIORITY
 AMEMBASSY MEXICO PRIORITY
 NSC WASHDC PRIORITY
 USCINCSO MIAMI FL PRIORITY
 USINT HAVANA PRIORITY

C O N F I D E N T I A L CARACAS 001507

NSC FOR CBARTON
 USCINCSO ALSO FOR POLAD
 STATE PASS USAID FOR DCHA/OTI

E.O. 12958: DECL: 05/04/2014
 TAGS: PREL, PGOV, PHUM, VE
 SUBJECT: VENEZUELA: POTENTIAL FRAUD IN THE APPEALS PROCESS

REF: A. CARACAS 1444
 B. CARACAS 945

Classified By: Abelardo A. Arias, Political Counselor,
 for Reasons 1.4(b) and (d).

 Summary

1. (C) Although the opposition has agreed to participate in the National Electoral Council's (CNE) signature appeals process ("reparos") on May 27-31, which if successful will prompt a recall vote against President Hugo Chavez, most in the opposition do not expect a fair and transparent process.

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The CNE already rejected 375,000 signatures on questionable grounds and will not permit the signatures to be appealed. Chavez opponents also worry that the CNE will manipulate other aspects of the process -- such as identity cards, daily tally sheets, and on-site computers -- to knock out signatures. They also fear the GOV will continue to convince and otherwise intimidate signers to withdraw their names. Combined, these efforts may be sufficient to whittle enough signatures away from the opposition's potential thin margin of victory. End summary.

Fool Me Once...

2. (C) The Carter Center and OAS released a statement April 30 stating that the National Electoral Council (CNE) had put in place the "necessary guarantees" for citizens to reaffirm or withdraw their signatures from the petition for a recall referendum against President Hugo Chavez. While the international observers naturally want to instill confidence in the May 27-31 appeals process ("reparos"), most in the opposition are convinced that the GOV will use every available method to prevent the referendum. After watching the CNE prune back the 3.4 million signatures collected last year to 1.9 million, Chavez opponents are wary of this next stage of the referendum process. The CNE's public approval ratings reflect this suspicion, falling to 40 percent in March while disapproval reached 56 percent, according to one poll. Fifty-one percent of those polled believed the GOV had too much influence over the CNE; only 27 percent believed the CNE is operating independently.

Rejected Without Appeal

3. (C) Most difficult to swallow for the opposition is the CNE's rejection of some 375,000 signatures outright, with no chance of appeal, for a variety of reasons, some justified, some not.

Another press report showed an identity card of a man dead 25 years but whose name appears in the CNE website as "rejected, with right to appeal." While the

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signature was possibly entered fraudulently with the deceased's information, how this signature passed to the appeals category is a mystery.

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Similar Handwriting

5. (C) During a CD briefing for the diplomatic corps on May 4 attended by the Ambassador and Polcouns, Alejandro Plaz of the NGO Sumate highlighted that the CNE sent 956,388 signatures to appeal because the signature forms were filled out, but necessarily signed, in the same handwriting (the "planillas planas"). Sumate concluded that 54 percent of these signatures were not made with similar handwriting and should have been validated. Plaz said an independent audit, reportedly carried out by an unnamed European firm, validated Sumate's analysis.

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National Identity Card Games

[redacted] told poloff April 22 he believed the verification of national identity cards ("cedulas") would pose a problem during the appeals process. The pro-GOV campaign committee Comando Ayacucho announced it was aware of an opposition attempt to falsify identity cards to boost appeals. Ayacucho's Ismael Garcia announced May 3 that his organization will mount an "anti-fraud operation" at the appeals centers. Rumors abound among Chavez opponents that the GOV will, in fact, falsify identity cards corresponding to valid signatures, substitute the photo with

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a Chavez supporter, and then send the person in the photo to withdraw the signature. Mere allegations of identity theft like these could also disrupt the appeals process, especially if the CNE were to react by changing procedures during the three-day period.

Counting As We Go

7. (C) Opposition members are pleased the CNE agreed to execute daily tally sheets ("actas") as a record of the three days of appeals. The rules permit international observers to collect one of the four copies of each tally sheet, which the opposition hopes will reduce the chances for fraud. (Note: There are nearly 2,700 appeals centers, far more than the expected number of observers.) The opposition also plans to use the tally sheets to monitor daily progress in the appeals. The CNE, however, rejected 120,329 signatures collected last year because of missing or incorrectly filled out tally sheets. Chavez opponents also fear the CNE could similarly reject appeals.

8. (C) CNE computers stationed at appeals centers with more than 100 appeals are also a risk, [redacted] The rules state the computers will only be used to check whether signers appear in the database and not for counting appeals. [redacted] told poloff April 26 he believes the computers will be used to keep the Comando Ayacucho informed in real-time of the appeals results.

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Repent, Signer!

9. (C) The Comando Ayacucho claims its supporters will scour lists of signers to convince them to "repent" and retract their signatures (ref a). National Assembly Deputy Nicolas Maduro predicted publicly April 26 that 30 percent of the 1.9 million valid signatures would be retracted. Rumors persist of intimidation and harassment of public workers, passport applicants, and university candidates who signed the petition (ref b). [redacted] asserted that health sector NGOs had reported to the CD that public hospitals are denying medication to those who signed. [redacted]

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[redacted] told poloff April 30 the GOV may resort to cash payments to obtain retractions.

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